

and the other participating carriers. Joint rail and water rates as herein used shall be deemed to include every movement of traffic in which a water line can participate.

Joint rail and water rates construed.

"(f) The operation of the transportation and terminal facilities under this Act shall be subject to the provisions of the Interstate Commerce Act, as amended, and to the provisions of the Shipping Act, 1916, as amended, in the same manner and to the same extent as if such facilities were privately owned and operated; and all vessels of the corporation operated and employed solely as merchant vessels shall be subject to all other laws, regulations, and liabilities governing merchant vessels."

Operations subject to provisions of interstate commerce and shipping Acts.

Merchant vessels subject to all laws, etc., governing.

SEC. 3. The Secretary of War is authorized and directed to cause an investigation and survey to be made of the inland water route from Boston, Massachusetts, to Beaufort, North Carolina, with a view to determining the amount of actual or potential commerce thereon and the feasibility and advisability of extending the service of the Inland Waterways Corporation to the waterways included in such route, or any section thereof, and to report thereon to the Congress as soon as practicable.

Inland water route, Boston, Mass., to Beaufort, N. C.

Investigation as to feasibility of extending service of Corporation thereto.

Approved, May 29, 1928.

CHAP. 892.—An Act Authorizing and directing the Secretary of Agriculture to establish and maintain a dairy and livestock experiment and demonstration station for the South at or near Lewisburg, Tennessee.

May 29, 1928.

[H. R. 13447.]

[Public, No. 602.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to establish at or near Lewisburg, Tennessee, a dairying station for investigations, experiments, and demonstrations in the dairy industry, and the problems pertaining to the development of such industry in the South, and for investigations, demonstrations, assistance, and service in dairy livestock breeding, growing, and feeding, and dairy products manufacture.

Lewisburg, Tenn. Dairy and livestock experiment station for the South to be established at.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000, to carry out the provisions of this Act, including the construction of buildings, the acquirement of equipment and apparatus, the purchase of livestock, and the employment of necessary persons; and each fiscal year thereafter necessary appropriations for the maintenance of said station as contemplated by this Act: *Provided*, That suitable lands are furnished by the State or other interests.

Sum authorized for expenses.

Post, p. 1190.

Yearly appropriations.

Proviso.

State, etc., to furnish lands.

Approved, May 29, 1928.

CHAP. 893.—An Act Authorizing the Baltimore Gas Engineering Corporation, a Maryland corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Kanawha River at or near Dunbar, West Virginia.

May 29, 1928.

[H. R. 13399.]

[Public, No. 603.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Baltimore Gas Engineering Corporation, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Kanawha River, at a point suitable to the interests of navigation, at or near Dunbar, West Virginia, in accordance with the provisions of the Act entitled "An Act to reg-

Kanawha River. Baltimore Gas Engineering Corporation may bridge, at Dunbar, W. Va.

Construction.

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ulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Acquisition authorized, after completion, by West Virginia, etc.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Compensation, if acquired by condemnation.

Limitations.

Tolls, under State, etc., operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Sworn statement of construction costs, etc., to be filed after completion.

Investigation by Secretary of War.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of West Virginia, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this Act; and, if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management; and to provide a sinking fund to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 4. The Baltimore Gas Engineering Corporation, its successors and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the highway department of the State of West Virginia, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the highway department of the State of West Virginia shall, at any time, within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the

said the Baltimore Gas Engineering Corporation, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Findings of Secretary
conclusive.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted the Baltimore Gas Engineering Corporation, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Right to sell, etc.,
conferred.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 29, 1928.

CHAP. 894.—An Act Authorizing the Val Verde County Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Langtry, Texas.

1928
[H. R. 3318]
[Public, No. 604]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the Val Verde County Bridge Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Langtry, Texas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in Mexico.

Rio Grande.
Val Verde County
Bridge Company may
bridge, at Langtry,
Tex.

SEC. 2. There is hereby conferred upon the Val Verde County Bridge Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Texas needed for the location, construction, operation, and maintenance of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Texas, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Construction.
Vol. 34, p. 84.

Approval of Mexico.

Right to acquire real
estate, etc., in Texas,
for location, approaches,
etc.

Condemnation pro-
ceedings.

Tolls authorized.

SEC. 3. The said Val Verde County Bridge Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Texas applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Vol. 34, p. 85.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Val Verde County Bridge Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who

Right to sell, etc.,
conferred.